

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 599
94TH GENERAL ASSEMBLY

Reported from the Committee on Pensions, Veterans' Affairs and General Laws, March 29, 2007, with recommendation that the Senate Committee Substitute do pass.

2403S.02C

TERRY L. SPIELER, Secretary.

AN ACT

To amend chapter 42, RSMo, by adding thereto three new sections relating to the creation of a military medal of freedom.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 42, RSMo, is amended by adding thereto three new sections, to be known as sections 42.230, 42.232, and 42.234, to read as follows:

42.230. 1. Every veteran who honorably served on Title 10 active duty status in the United States military service at any time since August 2, 1990, and ending January 1, 2015, during a declared war or conflict shall be entitled to receive a medal of freedom, medallion, and certificate under sections 42.230 to 42.234, provided that:

(1) Such veteran is a legal resident of this state or was a legal resident of this state at the time he or she entered or was discharged from military service or at the time of his or her death; and

(2) Such veteran was honorably separated or discharged from military service, or was in active service in an honorable status at the time of his or her death.

2. The medal of freedom, medallion, and certificate shall be awarded regardless of whether or not such veteran served within the United States or in a foreign country. For purposes of sections 42.230 to 42.234, "veteran" means any person who can supply proof of Title 10 active duty service in support of a declared war or conflict and not in a training-only status.

42.232. 1. Except as otherwise provided in sections 42.230 to 42.234, the adjutant general of the state of Missouri shall administer sections 42.230 to 42.234, and may adopt all rules necessary to

4 administer the provisions of sections 42.230 to 42.234. Any rule or
5 portion of a rule, as that term is defined in section 536.010, RSMo, that
6 is created under the authority delegated in this section shall become
7 effective only if it complies with and is subject to all of the provisions
8 of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This
9 section and chapter 536, RSMo, are nonseverable and if any of the
10 powers vested with the general assembly pursuant to chapter 536,
11 RSMo, to review, to delay the effective date, or to disapprove and annul
12 a rule are subsequently held unconstitutional, then the grant of
13 rulemaking authority and any rule proposed or adopted after August
14 28, 2007, shall be invalid and void.

15 2. The adjutant general shall determine as expeditiously as
16 possible the persons who are entitled to a medal of freedom, medallion,
17 and certificate under sections 42.230 to 42.234 and distribute such
18 medals, medallions, and certificates as provided in sections 42.230 to
19 42.234. Applications for the medal of freedom, medallion, and
20 certificate shall be filed with the office of the adjutant general at any
21 time after January 1, 2010, on forms prescribed and furnished by the
22 adjutant general's office. The adjutant general shall approve all
23 applications that are in order, and shall cause a medal, medallion, and
24 certificate to be prepared for each approved veteran in the form
25 created by the veterans' commission under section 42.234.

26 3. The following persons may apply for a medal of freedom,
27 medallion, and certificate under sections 42.230 to 42.234:

28 (1) Any veteran who is entitled to a medal, medallion, and
29 certificate under sections 42.230 to 42.234;

30 (2) Any spouse or eldest surviving relative of a veteran who is
31 entitled to a medal, medallion, and certificate under sections 42.230 to
32 42.234 but who died prior to having made application for such medal,
33 medallion, and certificate.

34 4. If any spouse or eldest surviving relative applies for the
35 medal, medallion, and certificate under subsection 3 of this section or
36 if any veteran dies after applying for a medal, medallion, and
37 certificate under sections 42.230 to 42.234 and such veteran would have
38 been entitled to the medal, medallion, and certificate, the adjutant
39 general shall give the medal to the spouse or eldest surviving relative
40 of the deceased veteran.

41 5. If the adjutant general disallows any veteran's claim to a
42 medal, medallion, and certificate under sections 42.230 to 42.234, a
43 statement of the reason for the disallowance shall be filed with the
44 application and notice of this disallowance shall be mailed to the
45 applicant at the applicant's last known address.

 42.234. The veterans' commission shall design the form of the
2 medal, medallion, and certificate and forward the approved designs to
3 the adjutant general for distribution under sections 42.230 to 42.234. It
4 is the intent of the general assembly to create statewide involvement
5 in the design of these symbols in recognition of this historic
6 endeavor. Therefore, in designing the forms, the veterans' commission
7 may solicit potential designs from elementary and secondary schools,
8 veterans' groups, civic organizations or any other interested party, and
9 may select the best design from among such solicited designs, or may
10 select another design.

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Bill

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